

REQUIRED CLEARANCES FOR BORROW AREAS

The necessary clearances for contractor furnished borrow areas shall be obtained prior to using the borrow area for the project. The Contractor is encouraged to consider using material from previously disturbed locations (substantial disturbance) or borrow areas that have previously been cleared, precluding the need to address most, if not all, of the issues described below. The contractor should include the Federal Project Number on all correspondence. The following addresses the primary environmental issues related to clearance of borrow areas:

1. ENDANGERED SPECIES ACT

Missouri Department of Conservation (MDC)
Planning Division
P.O. Box 180
Jefferson City, MO 65102-0180
Telephone Number (573) 751-4115 or FAX (573) 751-4495

Request a search of the Heritage Database to determine if there are any know endangered or sensitive species or communities at the proposed site. All queries must be accompanied by a good quality map illustrating the location of the proposed site.

Should MDC have no records for the proposed site and it is unlikely that sensitive species or important habitat will be damaged by this ~~borrow~~land disturbance activity, the contractor may proceed. Further coordination with MDC shall be required if the presence of or the likelihood of Federally threatened or endangered species or critical habitat is indicated. Should MDC indicate that only state-listed rare or endangered species will be impacted, the contractor should work to reduce the potential impact to those species. However, state listed species are not protected by state regulations that require measures of protection.

Any impact to habitats with known occurrences of species federally listed as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) is not allowed by the Endangered Species Act without coordination with FWS.

Columbia Field Office
U.S. Fish and Wildlife Service (FWS)
608 East Cherry Street
Columbia, MO 65201
Telephone Number (573) 876-1911 or FAX (573) 876-1914

Should concerns be expressed regarding any species in this area, it may be advisable to locate another borrow area.

2. FARMLAND PROTECTION POLICY ACT

Compliance with the Farmland Protection Policy Act, which has the purpose of minimizing Federal programs' contribution to the unnecessary and irreversible conversion of farmland caused by non-agricultural uses, is required.

An aerial map showing the ~~borrow~~ **disturbed area-site** and Form AD-1006 need to be submitted to the Natural Resources Conservation Service (NRCS) serving the area.

Form AD-1006 may be obtained from the NRCS office. Parts I and III of Form AD-1006 should be completed by the contractor. The form should be sent to the NRCS for completion of Parts II, IV, and V. The NRCS office should be instructed to return the form to:

Missouri Department of Transportation
Environmental Section
Plan Scoping
P.O. Box 270
Jefferson City, MO 65102

Parts VI and VII will be completed by MoDOT and the completed form will be returned to the contractor for documentation of compliance. A copy of the form will be retained by MoDOT.

3. WETLANDS

A Federal Executive Order has decreed a national policy of "no net loss of wetlands". Under this policy, any impact to wetlands must be avoided if at all practical. When a borrow area has an impact on wetlands, the impact must be mitigated by construction or enhancement of a like quantity and quality of new wetlands. Avoiding an impact to wetlands is a primary goal.

To determine if a site occurs in a wetland, the United States Department of Agriculture should be contacted. The NRCS has identified and mapped wetlands as a requirement under the Food Security Act. These maps are available at the local NRCS office. Should wetlands be identified on the Food Security Act Maps, a site visit may be needed to confirm the location of the wetlands. If there is no impact to wetlands, no further action need be taken.

If there are questions regarding the extent of wetlands that cannot be avoided, the U.S. Army Corps of Engineers (COE) should be contacted. A COE 404 Permit must be processed through the Corps office that has jurisdiction over the project area.

4. HAZARDOUS WASTE SITES

Proposed ~~borrow~~disturbed sites will probably be located in rural areas which have been used for agricultural or similar purposed. Hazardous wastes are most typically associated with commercial or industrial properties, past or present.

Hazardous wastes are unlikely if the proposed ~~borrow-area~~ disturbed site is basically farmland or pasture and has not been used for any commercial activity or dumping. The contractor should document the historic land use of the parcel and explain how this assessment was obtained. The contractor should provide the following documentation to Missouri Department of Transportation: who was contacted and the results of the contact. If potential problems are identified during the search for information, it would be wise to locate another ~~borrow-area~~site.

5. ~~WATER QUALITY/LAND DISTURBANCE~~

If the project proponent does not have a valid general NPDES permit for storm water runoff and the project will disturb 1 acre or more of land a specific NPDES permit is required. A pollution prevention plan may be required with the NPDES application. Contact MO Department of Natural Resources at (573) 751-1300 for further information.

56. CULTURAL RESOURCES

All projects requiring environmental clearance for cultural resources (archaeological sites and structures) must be reviewed and approved by the Missouri Department of Natural Resources' (DNR) Historic Preservation Program (HPP). To initiate the HPP review and clearance of a ~~borrow~~disturbed site for Cultural Resources, a "Section 106 Project Information Form" must be completed and submitted to the HPP along with the necessary documents. Copies of the "Section 106 Project Information Form" may be obtained from MoDOT District Offices or the following:

Historic Preservation Program
Department of Natural Resources
Attention: Review & Compliance
P.O. Box 176
Jefferson City, MO 65102
Telephone Number (573) 751-7858

Based on the information submitted, HPP may clear the project or request that the contractor acquire the services of an archaeological consultant to conduct a cultural resource survey of the proposed ~~borrow~~disturbed site.

After the contractor has obtained all of the above data and clearances, it should be submitted to MoDOT district representative for the project. The transmittal letter must include the County, Route and Job Number of the project for which borrow will be used. A map indicating the

location and limits of the borrow area must be included.

No direct payment will be made for obtaining the required clearances for ~~borrow~~disturbed site.
~~areas~~. An
adjustment in contract time will be considered for any delay caused by receiving the required clearances.